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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

9 MARK MOOR,

10       *Petitioner,*

3:10-cv-00401-ECR-RAM

11 vs.

ORDER

13 JAMES BACA, *et al.*,

14       *Respondents.*

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16       This habeas matter under 28 U.S.C. § 2254 comes before the Court following initial  
17 review under Rule 4 of the Rules Governing Section 2254 Cases (the “Habeas Rules”) of the  
18 amended petition (#14) filed by the Federal Public Defender. Following upon said review, a  
19 response will be directed.

20       IT THEREFORE IS ORDERED that respondents shall have forty-five (45) days from  
21 entry of this order within which to answer, or otherwise respond to, the amended petition,  
22 including by motion to dismiss. Any response filed shall comply with the remaining provisions  
23 below, which are tailored to this particular case based upon the Court’s screening of the  
24 amended petition and which are entered pursuant to Habeas Rule 4.

25       IT FURTHER IS ORDERED that any procedural defenses raised by respondents in this  
26 case shall be raised together in a single motion to dismiss. Procedural defenses omitted from  
27 such motion to dismiss will be subject to potential waiver. Respondents shall not file a  
28 response in this case that consolidates their procedural defenses, if any, with their response

1 on the merits, except pursuant to 28 U.S.C. § 2254(b)(2) as to unexhausted claims clearly  
2 lacking merit.

3 IT FURTHER IS ORDERED that any additional exhibits filed by the parties herein shall  
4 be filed with a separate index of exhibits identifying the exhibits by number or letter. The  
5 CM/ECF attachments that are filed further shall be identified by the number or numbers (or  
6 letter or letters) of the exhibits in the attachment, as counsel for petitioner has done in # 15.

7 IT FURTHER IS ORDERED that petitioner shall have forty-five (45) days from service  
8 of the answer, motion to dismiss, or other response to file a reply or opposition.

9 DATED: July 11, 2011.

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12 EDWARD C. REED  
13 United States District Judge  
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